

FAMILY-CENTERED PRACTICE

Engaging Fathers Considerations

Adapted from *Judicial Checklist Regarding Engaging Fathers* by Judge Leonard Edwards (retired), Judge-in-Residence, California Administrative Office of the Courts

- Identify all parents and prospective parents as soon as possible.
- Question the mother under oath regarding the identity of the father or prospective father, using the statutory provision of § 39.503.
- Determine where the father or prospective father can be located.
- Order the case worker to followup on information gained from the court hearing.
- Order the case worker to serve each father or prospective father with notice of the legal proceedings.
- Insist that case workers use good faith efforts to identify, locate, and support the father or prospective father throughout the dependency court process. Make “reasonable efforts” finding, if applicable.
- Revisit the question of identity and location of the father at all subsequent court hearings.
- When a prospective father comes to court, let him know that once his paternity is established, he will be treated as a parent in all subsequent court proceedings. As a parent, he is an important person in the child’s life.
- Follow the requirements of § 39.503, ordering DNA at the court’s discretion.
- Advise the father of the right to counsel as soon as paternity has been established; appoint counsel for an indigent father, or allow him a chance to hire a lawyer.
- Make it clear that the father may be a placement possibility for the child.
- Identify the father’s extended family, and ensure that they know about the legal proceedings and know that they will be considered as possible placements if placement is necessary.
- Permit the extended family to participate in group decision-making processes, visitations, and court hearings when it is appropriate.
- Determine if the father or prospective father is a danger to the mother or to the child, and make appropriate protective orders.
- Encourage the development of services in the community that will meet the needs of fathers. These could include parenting classes for fathers, parent coaching, fathers mentoring fathers, and other gender-based programs.

RESOURCE:

Judge Leonard Edwards, *Engaging Father in the Child Protection Process: The Judicial Role*, 2009

Engaging fathers judicial benchcards.

The National Quality Improvement Center on Non-Resident Fathers and the Child Welfare System developed three judicial benchcards.

You can find the documents at the following links:

Engaging Fathers in Child Protection Court Hearings and Case Planning:

http://site.americanhumane.org/fatherhooddocs/engaging_fathers_judge_card.pdf

Engaging Fathers in Child Protection Cases by Understanding Male Help-Seeking and Learning Styles: http://site.americanhumane.org/fatherhooddocs/engaging_fathers_judge_card2.pdf

Identifying and Locating Noncustodial Fathers in Child Protection Cases:

http://site.americanhumane.org/fatherhooddocs/engaging_fathers_judge_card3.pdf